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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION ) DOCKET NO.  
On Its Own Motion ) 05-0737  
-vs- )  
MT. CARMEL PUBLIC UTILITY COMPANY )  
Reconciliation of revenues )  
collected under fuel adjustment )  
charges with actual costs )  
prudently incurred. )

Springfield, Illinois  
September 27, 2006

Met, pursuant to notice, at 9:30 A.M.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. ERIC BRAMLET  
Koger & Bramlet, P.C.  
316-1/2 Market Street  
P.O. Box 278  
Mt. Carmel, Illinois 62863-0220

(Appearing on behalf of Mt. Carmel Public  
Utility Company via teleconference)

MR. JAMES D. SPENCER  
527 East Capitol Avenue  
Springfield, Illinois 62701

(Appearing on behalf of Energy Division  
of the Illinois Commerce Commission)

SULLIVAN REPORTING COMPANY, by  
Cheryl A. Davis, Reporter, CSR License #084-001662



1	I N D E X			
2	WITNESSES	DIRECT	CROSS	REDIRECT RECROSS
3	PHILIP BARNHARD			
4	By Mr. Bramlet	13		
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11	EXHIBITS	MARKED	ADMITTED	
12	Mt. Carmel 1.0 Revised	e-Docket	16	
13	Mt. Carmel 2	11	16	
	Staff 1.0	e-Docket	18	
14	Staff 2.0	e-Docket	17	
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1 PROCEEDINGS

2 (Whereupon prior to the hearing  
3 Mt. Carmel Exhibit 2.0 was marked for  
4 identification.)

5 JUDGE ALBERS: By the authority vested in me by  
6 the Illinois Commerce Commission I now call Docket  
7 Number 05-0737. This docket concerns the  
8 reconciliation of Mt. Carmel Public Utility Company's  
9 fuel adjustment clause.

10 May I have the appearances for the record.

11 MR. BRAMLET: Appearing on behalf of Mt. Carmel  
12 Public Utility Company is Eric Bramlet. The mailing  
13 address is P.O. Box 278, Mt. Carmel, Illinois  
14 62863. Telephone number is 618/263-3502.

15 JUDGE ALBERS: And for Staff.

16 MR. SPENCER: James D. Spencer, senior  
17 electrical engineer, Energy Division, Illinois  
18 Commerce Commission. Our address is 527 East Capitol  
19 Avenue, Springfield, Illinois 62701. My phone number  
20 is 217/782-6311.

21 MR. OSTRANDER: Mike Ostrander from the  
22

1       Accounting Department.   Business address is 527 East  
2       Capitol Avenue, Springfield, Illinois 62701.

3               JUDGE ALBERS:   Thank you.

4               Let the record reflect there are no others  
5       wishing to enter an appearance.

6               The purpose of today's hearing is to admit  
7       into the record the previously filed testimony  
8       subject to any cross-examination, although it is my  
9       understanding from the testimony that there are no  
10      contested issues in this proceeding.

11              With that, I'll turn things over to  
12      Mr. Bramlet, if he'd like to call his witness.

13              MR. BRAMLET:   Your Honor, we call Philip  
14      Barnhard as a witness and ask that he be sworn in.

15              JUDGE ALBERS:   Mr. Barnhard, would you please  
16      stand and raise your right hand, and I'll also ask  
17      the two Staff witnesses to do the same.

18              (Whereupon the witnesses were sworn by  
19               Judge Albers.)

20              JUDGE ALBERS:   Thank you.

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PHILIP BARNHARD

called as a witness on behalf of Mt. Carmel Public  
Utility Company, having been first duly sworn, was  
examined and testified as follows:

DIRECT EXAMINATION

BY MR. BRAMLET:

Q. Mr. Barnhard, would you please state your  
full name and business address for the record.

THE WITNESS:

A. Philip Barnhard, Mt. Carmel Public Utility  
Company, P.O. Box 220, Mt. Carmel, Illinois 62863.  
Telephone is 618/262-5151.

Q. Mr. Barnhard, did you prepare and file what  
has been marked as revised written direct testimony  
in this docket?

A. Yes.

Q. Do you have before you a copy of your  
revised direct testimony?

A. I have it.

Q. And is that marked as Mt. Carmel Exhibit  
1.0?

A. It is indeed.

1 Q. And did you prepare Mt. Carmel Exhibit 1.0?

2 A. Yes.

3 Q. If asked the same questions today would  
4 your answer be the same as the revised direct  
5 testimony?

6 A. It would be.

7 MR. BRAMLET: I would move for admission into  
8 evidence of Mt. Carmel Exhibit 1.0.

9 JUDGE ALBERS: Since Mr. Barnhard I assume is  
10 sponsoring 2.0 as well can you go ahead and introduce  
11 that one as well?

12 MR. BRAMLET: All right. Thank you, Your  
13 Honor.

14 Q. Mr. Barnhard, in your direct testimony you  
15 state that by the time of this hearing that public  
16 notice will have been published in newspapers of  
17 general circulation in the company's territory and  
18 that notice will have been posted in a prominent  
19 place in the company's offices. Is that correct?

20 A. That is correct.

21 Q. And do you have before you the copies of  
22

1       the public notices and publishers' certificates  
2       which have been marked Mt. Carmel Exhibit 2.0?

3           A.    I have it in front of me, yes.

4           Q.    Were these notices published in newspapers  
5       in general circulation in your territory?

6           A.    They were.

7           Q.    And was notice also posted in the company's  
8       offices in a prominent place?

9           A.    Yes.

10          MR. BRAMLET:  Your Honor, we would also move  
11       for admission into evidence of Mt. Carmel Exhibit 2.0  
12       and tender Mr. Barnhard as a witness.

13          JUDGE ALBERS:  Are there any questions for  
14       Mr. Barnhard?

15          MR. OSTRANDER:  No.

16          MR. SPENCER:  No.

17          JUDGE ALBERS:  Hearing no questions, any  
18       objections to the exhibits?

19          MR. OSTRANDER:  No.

20          MR. SPENCER:  No.

21          JUDGE ALBERS:  Hearing no objections, then  
22       Mt. Carmel Exhibits 1.0 Revised and 2.0 are admitted



1       into the record.

2                   (Whereupon Mt. Carmel Exhibits 1.0  
3                   Revised and 2.0 were received into  
4                   evidence.)

5       JUDGE ALBERS:   Thank you, Mr. Barnhard.

6       THE WITNESS:    Thank you.

7       JUDGE ALBERS:   Anything further from  
8       Mt. Carmel?

9       MR. BRAMLET:    Not at this time, Your Honor.

10      JUDGE ALBERS:   All right.   Thank you.

11                   (Witness excused.)

12                   Turning to Staff then.

13      MR. SPENCER:    Well, I can go if you like.

14                   My name is James D. Spencer.   I'm senior  
15       electrical engineer in the Energy Division of the  
16       Illinois Commerce Commission.

17                   I have prepared a document entitled Direct  
18       Testimony of James D. Spencer that was identified as  
19       ICC Staff Exhibit 2.0 in this case and was filed on  
20       e-Docket on August 31, 2006.

21                   This testimony consists of a cover page  
22       and two pages of questions and answers.   I have no

1        additions, deletions, or corrections to this  
2        previously filed testimony. If I were asked the same  
3        questions today my answers would be the same.

4                    I offer that document for admission into  
5        the record in this case.

6            JUDGE ALBERS: Are there any questions for  
7        Mr. Spencer?

8            MR. BRAMLET: We have none, Your Honor.

9            JUDGE ALBERS: All right. Thank you.

10                    Any objection to the exhibit?

11            MR. BRAMLET: No.

12            JUDGE ALBERS: Hearing no objection, then Staff  
13        Exhibit 2.0 is admitted.

14                    (Whereupon Staff Exhibit 2.0 was  
15                    admitted into evidence.)

16            JUDGE ALBERS: Thank you, Mr. Spencer.

17            MR. SPENCER: You're welcome.

18            MR. OSTRANDER: My name is Mike Ostrander. I'm  
19        an accountant in the Accounting Division of the  
20        Illinois Commerce Commission.

21                    I've prepared a document entitled Direct  
22        Testimony of Mike Ostrander that was identified as

1       ICC Staff Exhibit 1.0 and was filed on e-Docket on  
2       August 31, 2006. This testimony consists of a cover  
3       page and three pages of testimony, questions and  
4       answers. I have no additions, deletions, or  
5       corrections to this previously filed testimony. If I  
6       were asked the same questions today my answer would  
7       be the same.

8                       I offer this document for admission into  
9       the record in this case.

10               JUDGE ALBERS: Okay. Mr. Bramlet, do you have  
11       any questions for Mr. Ostrander?

12               MR. BRAMLET: No.

13               JUDGE ALBERS: Any objection to his exhibit?

14               MR. BRAMLET: No.

15               JUDGE ALBERS: Hearing no objection, then Staff  
16       Exhibit 1.0 is admitted.

17                               (Whereupon Staff Exhibit 1.0  
18                               was admitted into evidence.)

19               JUDGE ALBERS: Thank you, sir.

20                       Anything further from Staff?

21               MR. OSTRANDER: No, Your Honor.

22               MR. SPENCER: No.

1 JUDGE ALBERS: All right. Given that this case  
2 has been settled, if you will, I don't see a need for  
3 briefs, and with that I will mark the record Heard  
4 and Taken.

5 HEARD AND TAKEN

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